

SN. 10/805,483

ATTORNEY DOCKET NO. MITS:051

REMARKS

Claims 2, 3, 5-7, 10, 12, 16, 19, 26-34, and 36 remain pending in this application for which applicants seek reconsideration.

Amendment

Claim 1 has been canceled, and claims 2, 3, 5-7, 16, 26-30, 32, and 34 have been amended to more clearly set forth the invention, namely adding or deleting certain features or changing the dependency. Claim 5, 7, and 16 have been placed in independent form. Claims 2, 3, 26, 30, and 32 have been amended to change their dependency. No new matter has been introduced.

Allowable Claims

Claims 7, 10, 12, 16, and 19 were indicated to be allowable if they are placed in independent form. Claims 7 and 16 have been placed in independent form. Although claims 7 and 16 do not incorporate every feature of intervening claims 3, 5, and 6, applicants submit that claims 7 and 16, as presently amended, clearly distinguish over the applied references. Thus, at least claims 7, 10, 12, 16, and 19 are still believed to be in condition for allowance. As claims 26 and 27 now ultimately depend from claim 16, they too are believed to be in condition for allowance.

Art Rejection

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as anticipated by Krumholz (USP 6,404,132). Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Krumholz in view of Ferrell (USP 5,618,102). Claims 26 and 27 were rejected under § 103(a) as unpatentable over Krumholz in view of Rodgers (USP 5,900,678). Finally, claims 28-34 and 36 were rejected under § 103(a) as unpatentable over Hayami (USPGP 2002/0163794) in view of Ferrell.

Applicants believe that only independent claims 5 and 28, and the claims depending therefrom are presently at issue. Applicants traverse the rejections of original claims 5 and 29 (which is now partly incorporated in claim 28) because the combination would not have taught the features set forth therein.

Independent claim 5 calls for the plasma lamp to have first and second electrodes. As presently claimed, the second electrode is substantially annular and spaced from the first electrode, and the first electrode is positioned substantially centrally of the second electrode so